

VZCZCXRO6654
RR RUEHBC RUEHDE RUEHKUK RUEHROV
DE RUEHRB #1869/01 3541232
ZNR UUUUU ZZH
R 201232Z DEC 07
FM AMEMBASSY RABAT
TO RUEHC/SECSTATE WASHDC 7924
INFO RUEHEE/ARAB LEAGUE COLLECTIVE
RUEHCL/AMCONSUL CASABLANCA 3778

UNCLAS SECTION 01 OF 04 RABAT 001869

SIPDIS

SIPDIS

STATE FOR G/WI, DRL, MEPI

E.O. 12958: N/A

TAGS: [KWMN](#) [PHUM](#) [PGOV](#) [MO](#)

SUBJECT: MOROCCO: WOMEN'S RIGHTS ADVANCING, BUT NOT ENOUGH

REF: A. 06 RABAT 2189

[1](#)B. RABAT 1095

[1](#)C. 06 CASABLANCA 530

[1](#)D. CASABLANCA 10

Summary

[1](#)1. Summary: Women's rights have advanced in Morocco since the passage of the revised Moudawana (family code) in 2004, but challenges remain. The Government of Morocco (GOM) is providing medical and legal assistance for domestic violence victims. The Nationality Code has been changed to allow women to transmit citizenship to their children. Women hold a record number of seats in the government, and a ground-breaking program is training women as religious leaders. The GOM has integrated women's issues into its budgeting and planning process, but NGO representatives complain of a lack of coordination between ministries. There is broad awareness within the judiciary about the reforms, but the laws are still not firmly rooted and gains could be lost as a result of a social backlash. Judges and clerks require further training and technical assistance to achieve a uniform application of the laws. The next significant reform issue may involve inheritance law. A number of civil society interlocutors are pleading for more support from the USG. End Summary.

[1](#)2. In the fall of 2007, TDY DRL officer and PolFsn met with a variety of representatives from civil society and the GOM to gauge progress and challenges in the field of women's rights and in the implementation of the Moudawana (Family Code) since its passage in February 2004. Moroccan civil society contacts described a variety of specific success and continuing areas of concern.

Points of Progress

[1](#)I. A National Strategy for Gender Equality

[1](#)3. On May 19, 2006, the GOM adopted a national strategy for equality, integrating a gender-based approach in all development policies and programs. Gender sensitive budgeting was included for the first time in the 2006 national government budget. This requires all Ministries to analyze budgets from the perspective of their impact on women and men, boys and girls. At the local level, the GOM produced manuals and training courses to enhance local authorities' and communities' ability to factor gender issues into their planning and budgeting processes.

II. Nationality Code Reform

14. In January 2007, the Moroccan Government reformed the 1958 Nationality Code, giving women the right to pass Moroccan nationality to their children. Previously, nationality was transmitted only through the father. This new bill was the result of intensive collaboration between the NGO Democratic Association of Moroccan Women (ADFM), several women's and human rights organizations, and the GOM. The change allows children of Moroccan mothers and non-Moroccan fathers to access the full range of educational and social benefits available to Moroccan citizens. It also has implications for international custodial disputes involving bi-national couples. Moroccan citizenship can still only be transferred to a child if both parents are Muslim and if their marriage is recognized by Moroccan law. A child born in Morocco has no claim on citizenship without citizen parents, even if the parents themselves were born here.

III. Women in Religion

15. In February 2006, in a move unprecedented in the Muslim world, the GOM trained 50 Mourshidat (spiritual guides) as part of a campaign launched by King Mohammed VI to undermine religious extremism by strengthening and promoting Islam's message of moderation. Since its inception, the program has graduated three groups of 50 trainees. Each Mourshida is assigned to one of the more than 33,000 mosques in the country. While they do not lead prayers, a task still reserved exclusively for men, the Mourshidat give basic religious instruction in mosques and provide clerical support in prisons, hospitals, and schools. Women also now sit on the High Council of Ulemas (the supreme religious authority) chaired by the King, and on local religious councils.

RABAT 00001869 002 OF 004

----- Women in Politics -----

16. The September 2007 Parliamentary elections resulted in the selection of 34 women out of a total of 325 parliamentary seats) a decline by one from the previous term. Thirty of the 34 new female representatives were elected from a national list reserved for women candidates. Moreover, Prime Minister Abbas El Fassi's new government includes a record seven women in key positions compared with two in the previous government. Women now occupy other key political roles for the first time as well, the Mayor of Essaouira, Asma Chaabi, and Governor of a district in Casablanca, Fouzia Imanssar, for example. Nevertheless, it is important to note that women's representation in political parties' decision making structures continues to remain low. In August, however, the Democratic Society Party became the first party to be headed by a woman, Zhor Chekkafi. In the private sector women are better represented in senior management levels than in the past.

----- The GOM is Listening, Supporting and Counting -----

17. At the Ministry for Social Development, Families and Solidarity (MSFS), the Chief of the Women's Division, Najah Rhardisse, explained to us that the MSFS signed a partnership agreement with the Ministries of Health (MOH), Justice (MOJ) and Interior (MOI) to help implement the National Strategy for Gender Equity and Equality. They are working with communities and civil society to create partnerships and to establish "listening centers," where women can obtain legal advice, counseling, and other assistance.

18. The MSFS set up a hot line, linked to the network of listening centers, in November 2005 for victims of domestic violence to call in order to receive immediate support. The MOJ is offering legal assistance to the centers while the MOH

provides medical assistance. The Ministry of Interior circulated a notice to the Gendarmerie about the hotline and police stations have been instructed to gather monthly statistics and information on violence against women. Police have received sensitivity training on the proper way to treat domestic violence cases.

¶9. In an effort to improve the quality and accuracy of statistics on violence against women, the MSFS recently signed a partnership agreement with the Office of the High Commissioner for Planning (the government agency in charge of tracking and publishing statistical data) to develop an institutional information system on gender-based violence in Morocco.

CONTINUING CHALLENGES

¶10. Moudawana reform demonstrated how a religious law could be adapted to modern, secular, international standards. A degree of social and bureaucratic inertia, however, still hinders progress.

¶I. U.S. Has Lost its Leading Role

¶11. Program director for international women's NGO Global Rights, Stephanie Bordat, said that in 2004, the USG was the undisputed leader in the field of Moroccan women's rights in terms of innovation and overall funding. "Now, people are asking where you (the USG) have gone," she commented while urging the USG to increase and re-invigorate its women's rights programs in Morocco. She stressed the need for donors to continue working with local grassroots NGOs to provide them with training on how to monitor and document progress or slippage on Moudawana implementation in the courts and broader judicial system.

¶12. Bordat stated that there was as great a need now for USG funding as there was in 2004. "Passing the law was the easy part, ensuring that it is enforced and accepted will take years." She fretted that international donors believe that Morocco has crossed a threshold and no longer needs financial and technical support in the area of women's rights. "The gains are not yet strong enough to weather a political, cultural or religious backlash; we need the U.S. government to stay engaged."

II. A Need for Coordinated Long-Term Funding Among Donors

RABAT 00001869 003 OF 004

¶13. President of the NGO Women Lawyers in Action, Nadia Oulehri stressed to us the need for foreign donors to support activities and projects through coordinated long term strategies, rather than through short-term "budget cycle" funding. "I attended much training," she said, "but we really need a coordinated strategy in order to have a lasting impact."

¶14. Nouzha Ameziane, a member of Union Action Feminine (UAF), complained to us that short-term funding makes sustainability difficult. Ameziane added that logistical expenses are usually not covered by funders, which forces many NGOs to pursue purely advocacy based programs since they require less money. She recognized the value of advocacy, but argued that there is also a need for more costly, project-based initiatives to analyze the Moudawana's impact and develop future strategies. UAF president and lawyer, Nezha Alaoui, explained that residents of rural, semi-urban, and Berber speaking areas still lack awareness about the new Moudawana. Illiteracy remains a significant obstacle to legal education and reform, and requires a significant investment of funds and skills to be overcome. A USG-funded program to teach women to read using the Moudawana has been effective, but is limited in scale.

III. Poor Ministerial Coordination

¶15. Oulehri also explained that despite rhetoric, there is a lack of coordination between government ministries on women's issues. The general women's portfolio is housed in the Ministry of Social Development, Families and Solidarity, yet Oulehri argued, "The specific problems that women face need more attention and call out for a separate ministry devoted to women's affairs."

IV. Judiciary Still Needs Support

¶16. Implementation remains a key concern because it largely depends on the judiciary's ability and willingness to put the Moudawana into practice. Due to its controversial nature, the law was written in such a way as to provide broad interpretive latitude to individual judges, not all of whom agree with its intent. Corruption among working-level clerks in the courts, and a lack of knowledge about the code's provisions among many lawyers also constitute obstacles. Bordat, of Global Rights, explained that there is no continuing education for lawyers, especially regarding the Moudawana, and that this "forgotten population" badly needs training.

¶V. Women's Shelters have no Legal Cover

¶17. The Ministry of Social Development, Families and Solidarity's Women's Division Chief Rhardisse argued for the creation of more government sponsored battered women's shelters. Morocco only has three shelters; one each in Rabat, Oujda and Fez. She would like to work with the Ministry of Justice to establish more. There is currently no clear legal protection for shelters or their staffs. Unless the existing law is changed, a spouse can enter any shelter, remove his or her partner, and legally bring charges against the staff for kidnapping or interference in marital life. Rhardisse explained, "Setting up shelters throughout the country will help extend our hand and offer support to women throughout Morocco." The Violence against Women Act, currently pending in the Parliament, augments protections and provisions for women, and addresses the shelter issue in a comprehensive fashion. Rhardisse was confident that it would be passed in 2008.

NEXT BIG ISSUE: INHERITANCE?

¶18. Nadia Oulehri explained that in Morocco, current inheritance laws favor male family members and heirs. Inheritance laws are applied unevenly in different regions, and judgments are often affected by local cultural practices. For example, in the Souss region, when a woman becomes a widow, she is considered her husband's equal partner. In the anti-Atlas area of Errachidia, however, a woman's inheritance is not hers to dispose of, but is held in trust by a male relative. Oulehri stressed the need to continue working on public awareness on the inheritance issue, and suggested creating a network of women's lawyers' groups to focus on the issue. Union Action Feminine, however, believes the time is not yet right to lobby for additional rights, and instead advises continued work on consolidating existing gains.

RABAT 00001869 004 OF 004

Comment:

¶19. In recent years, Morocco has made significant institutional advancements in the area of women's rights. However, in order to see these changes implemented to the fullest extent, continued engagement and support is needed from the international community. The new laws are just a

step in a long effort, one that will require cultural as well as institutional changes. Post suggests that the USG may want to consider additional assistance to the law enforcement, judicial and legal sectors to improve their capacity to address women's issues. End Comment.

Visit Embassy Rabat's Classified Website;
<http://www.state.sgov.gov/p/nea/rabat>

Jackson